

REMARKS

The foregoing Amendment and Remarks which follow are responsive to the Office Action mailed October 3, 2003 in relation to the above-identified patent application. In that Office Action, a Restriction Requirement was imposed and Applicant was directed to make an election amongst the following groups of claims:

I Claims 1, 3-4, 8-9, 12-14, and 16-17 drawn to a composition comprising an allogenic line of cancer cells providing at least one tumor associated ganglioside, at least one cytokine, and at least one heat shock protein;

-II Claims 1, 2 and 5, drawn to a composition comprising an allogenic line of cancer cells providing at least two tumor associated gangliosides, at least one cytokine, and at least one heat shock protein;

III Claims 1 and 6-7 drawn to a composition comprising an allogenic line of cancer cells providing at least three tumor associated gangliosides, at least one cytokine, and at least one heat shock protein;

IV Claims 1 and 10-111, drawn to a composition comprising an allogenic line of cancer cells providing at least one tumor associated ganglioside, at least two cytokines, and at least one heat shock protein;

V Claims 1 and 15 drawn to a composition comprising an allogenic line of cancer cells providing at least one tumor associated ganglioside, at least one cytokine, at least one heat shock protein, and a leukocyte antigen;

VI Claims 1 and 36-37 drawn to a composition comprising an allogenic line of cancer cells providing at least one tumor associated ganglioside, at least one cytokine, at least one heat shock protein, and a melanoma-associated antigen;

VII Claims 18, 20-21, 25-26, 29-31 and 33-35 drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least one allogenic cell line providing at least one tumor associated ganglioside, one cytokine, one heat shock protein, and administering the same in an amount effective to induce a response to the antigen;

VIII Claims 18-19, and 22 drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least one allogenic cell line providing at least two tumor associated gangliosides, one cytokine, one heat shock protein, and administering in an amount effective to induce a response to the antigen;

IX Claims 18 and 23-24 drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least three allogenic cell lines, providing at least one tumor associated ganglioside, one cytokine, one heat shock protein, and administering in an amount effective to induce a response to the antigen;

X Claims 18 and 27-28 drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least one allogenic cell line providing at least one tumor associated gangliosides, two cytokines, one heat shock protein, and administering the same in an amount effective to induce a response to the antigen;

XI Claims 18 and 32 are drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least one allogenic cell line, providing at least one tumor associated ganglioside, one cytokine, one heat shock protein, leukocyte antigens in common to the subject, administering the same in an amount effective to induce a response to the antigen;

XII Claims 18 and 38-39 drawn to a method of inducing a systemic immune response comprising the steps of providing cells of at least one allogenic cell line providing at least one tumor associated ganglioside, one cytokine, one heat shock protein, a melanoma-associated antigen, and administering the same in an amount effective to induce a response to the antigen.

By this Amendment, Applicant elects those claims falling within group I, namely, Claims 1, 3-4, 8-9, 12-14 and 16-17. Moreover, pursuant to the Examiner's comments, Claims 1, from which the remaining claims depend, has been amended to specify the tumor associated ganglioside, cytokine and heat shock protein. Accordingly, Applicant has complied with the Examiner's request.

Based on the foregoing, Applicants respectfully submit that all outstanding matters have been addressed and that the Application is now in condition to be substantively examined. Applicants do wish to state for the record, however, that they disagree with the

Application No.: 10/016,528
Response to Office Action of 10/03/03
Attorney Docket: MINSH-001A

assessment that the originally submitted claims of the application are drawn to twelve independent and patentably distinct inventions, but rather are drawn to compositions and methods for inducing an immune response in a mammal that utilize at least one allogenic line of cancer cells, at least one cytokine, at least one heat shock protein. The claims merely specify the types of gangliosides, cytokines, and heat shock proteins, as well as add further limitations that do not, in Applicants' view, give rise to restriction.

To the extent the Examiner has any questions, requires additional information, or has any suggestions to resolve any outstanding issues that may exist, the Examiner is invited to contact Applicants' counsel at the number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 1/13/03

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